

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ERNEST J. BERARDI , individually and on behalf of a class of similarly situated persons v. USAA GENERAL INDEMNITY COMPANY	CIVIL ACTION NO. 22-813
SAMANTHA SMITH , individually and on behalf of a class of similarly situated persons v. USAA CASUALTY COMPANY	CIVIL ACTION NO. 22-832

ORDER RE: DEFENDANTS' MOTIONS TO DISMISS

AND NOW, this 10th day of June, 2022, for the reasons in the foregoing Memorandum and after careful consideration of Defendant USAA General Indemnity Company's and Defendant USAA Casualty Insurance Company's Motions to Dismiss (Berardi ECF 5; Smith ECF 7), Plaintiff Ernest J. Berardi's and Plaintiff Samantha Smith's Responses (Berardi ECF 11; Smith ECF 12), and Defendants' Replies (Berardi ECF 12; Smith ECF 13), is its hereby **ORDERED** that Defendants' Motions are **GRANTED**. The Complaints in both cases are **DISMISSED** with prejudice.

BY THE COURT:

/s/ **MICHAEL M. BAYLSON**

MICHAEL M. BAYLSON, U.S.D.J.